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ATTORNEY DOCKET NO: 71227

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : KULLIK et al.  
Serial No : 10/802,294  
Confirm. No. : 3610  
Filed : March 17, 2004  
For : INCUBATOR WITH...  
Art Unit : 3743  
Examiner : Joseph Francis WEISS, JR.  
Dated : April 4, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

In accordance with Applicant's duty of disclosure Applicant is hereby submitting the following references which have been cited in a corresponding foreign application.

EP 0770211 describes an oxygen sensor using fuel cell technology. This reference is in the English language.

JP 9206341 is a Japanese Patent Office publication and describes an incubator with a specially designed hood. No translation of this reference is presently available to Application. However Applicant is enclosing an English abstract.


DE 3786213 is a German patent, and describes a pressure incubator. This reference does not appear to be actually published but instead appears to be a patent based on the European patent application EP 0260627. A copy of this European patent application is enclosed. Applicant also notes that this reference corresponds to U.S. patent 4,833,089.

DE69320914T is a German patent and describes a gas concentration and/or bulk flow rate sensor suitable for measuring oxygen concentration and the bulk flow rate delivered to a patient. This reference also does not appear to be actually published but instead is a patent based on the European patent application EP 0597604. Applicant is enclosing a copy of this published patent application. Applicant also notes that this reference correspond to U.S. patent 5,247,826.

Roche, Lexikon Medizin, 1999, 4<sup>th</sup> edition, Keyword: "Sauerstoffkonzentrator" (= Oxygen concentrator). This reference is an entry from the Roche Encyclopedia of Medicine, and describes an oxygen concentrator.

Consideration of these references is respectfully requested.

Respectfully submitted  
for Applicant,

By:   
Theobald Dengler  
Registration No. 34,575  
McGLEW AND TUTTLE, P.C.

TD:jms  
71227.10

Enclosed: PTO-1449 Form  
Credit Card Payment Form

DATED: April 4, 2005  
SCARBOROUGH STATION  
SCARBOROUGH, NEW YORK 10510-0827  
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SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 13-0410.

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McGLEW AND TUTTLE, P.C.  
SCARBOROUGH STATION, SCARBOROUGH, NY 10510-<sup>9227</sup>~~0827~~

BY: Jonathan Forster DATE: April 4, 2005



LIST OF REFERENCES CITED  
BY APPLICANT  
(Use several sheets if necessary)

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Group: 3743

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FOREIGN PATENT DOCUMENTS

Ex- aminer Initial	Document No.	Date	Country	Class	Sub- class	Translation Yes/No
	EP 0770211	May 2, 1997	EUROPE			N/A
	WO 9635944	Nov. 14, 1996	WIPO			YES
	JP 9206341	Aug. 12, 1997	JAPAN			NO
	DE 3786213	Sept. 30, 1993	GERMANY			N/A
	EP 0260627	Mar. 23, 1988	EUROPE			YES
	DE 69320914	Jan. 28, 1999	GERMANY			N/A
	EP 0597604	May 18, 1994	EUROPE			YES

OTHER REFERENCES (Including Author, Title, Date,  
Pertinent Pages, Etc.)

Ex- aminer Initial	Author	Date	Title	Textbook in	Translation Yes/No
	Roche	1999	"Sauerstoffkonzentrator = oxygen concentrator	Roche Encyclopedia of Medicine	NO

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Joseph Francis WEISS, JR.  
Examiner

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Date Considered